



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN, TEXAS 78711

**JOHN L. HILL
ATTORNEY GENERAL**

February 10, 1977

The Honorable Ted Butler
Criminal District Attorney
Bexar County Courthouse
San Antonio, Texas 78205

Opinion No. H-942

Re: Application of County
Civil Service Act to
secretaries and clerks in
the juvenile probation
office.

Dear Mr. Butler:

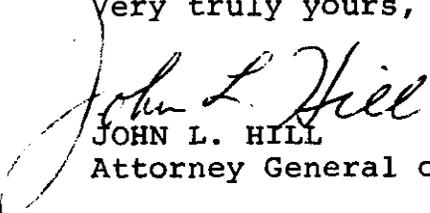
You have requested our opinion concerning whether the secretaries and clerks in the Juvenile Probation Office of Bexar County are subject to the County Civil Service Act. V.T.C.S. art. 2372h-6.

In Attorney General Opinion H-619 (1975), we found that adult probation officers were not subject to the County Civil Service Act, since we believed the control exercised by district judges over adult probation was inconsistent with the authority of the Civil Service Commission concerning employees subject to the Act. In Attorney General Opinion H-672 (1975), we decided that juvenile probation officers were likewise not subject to the County Civil Service Act, since article 5142c-2 required such officers to be appointed subject to the approval of the Juvenile Board. Article 5142c-2 also applies to secretaries and clerks within the Juvenile Probation Office and in essence provides for the complete management of such office by the judges on the Juvenile Board. See V.T.C.S. art. 5139. This control over the Juvenile Probation Office is inconsistent with the powers of a County Civil Service Commission. Attorney General Opinions H-672 (1975); H-619 (1975). Accordingly, in our opinion, secretaries and clerks employed by the Bexar County Juvenile Probation Office are not subject to the County Civil Service Act.

S U M M A R Y

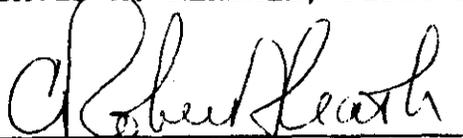
Secretaries and clerks employed by the Bexar County Juvenile Probation Office are not subject to the County Civil Service Act.

Very truly yours,


JOHN L. HILL
Attorney General of Texas

APPROVED:


DAVID M. KENDALL, First Assistant


C. ROBERT HEATH, Chairman
Opinion Committee

jwb